

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LEANTHONY T. WINSTON

Petitioner,

v.

B.M. TRATE,

Respondent.

Case No. 1:24-cv-00837-JLT-HBK (HC)

ORDER STRIKING IMPROPER PLEADING
FROM THE RECORD

(Doc. No. 18)

On September 20, 2024, the District Court adopted the undersigned's findings and recommendations¹ and granted Respondent's motion to dismiss Petitioner's petition for writ of habeas corpus under 28 U.S.C. § 2241 and denied Petitioner's motion for a temporary restraining order and preliminary injunction. (Doc. No. 10). The case was closed, and judgment was entered on the same day. (Doc. Nos. 10, 11). On September 26, 2024, Petitioner filed objections, which the District Court disregarded as untimely. (Doc. No. 12). On February 18, 2025, Notice of Appeal (Doc. No. 16) was processed to the Ninth Circuit. (Doc. No. 17).

On March 13, 2025, Petitioner filed a "supplemental pleading." (Doc. No. 18). Liberally construed, Petitioner appears to restate the arguments made in the amended petition and the motion for a temporary restraining order and preliminary injunction. Neither the Federal Rules of

¹ The undersigned issued findings and recommendation on August 27, 2024. (Doc. No. 9).

1 Civil Procedure nor the Local Rules provide for the right to file additional pleadings outside those
2 described in Fed. R. Civ. P. 7(a). Moreover, as this case is closed and Petitioner's Appeal is
3 currently pending before the Ninth Circuit, Petitioner is cautioned that subsequent filings may be
4 bluesheeted and returned.

5 Accordingly, it is **ORDERED**:

6 The Clerk of Court is directed to STRIKE the unauthorized pleading (Doc. No. 18) from
7 the record.

8
9 Dated: March 25, 2025


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE